

UNITED STATES DISTRICT COURT
DISTRICT OF MARYLAND

JILLYN K. SCHULZE
UNITED STATES MAGISTRATE JUDGE

6500 CHERRYWOOD LANE
SUITE 400
GREENBELT, MARYLAND 20770
(301) 344-0630

January 7, 2020

FILED VIA CM/ECF

Keith W. Watters, Esq.
Michael L. Pivor, Esq.

Re: *Christian Madu v. Empirian Village of Maryland, LLC, et al.*
Civil Action No. TDC-19-2923

Dear Counsel:

Please be advised that a settlement conference in the above-captioned case has been scheduled for **Friday, May 15, 2020 at 10:30 a.m.** The settlement conference will be held in my chambers (Suite 400) in the Greenbelt Courthouse (6500 Cherrywood Lane, Greenbelt, Maryland 20770). It is essential that the parties, or in the case of a corporation or partnership, an officer or other representative with complete authority to enter into a binding settlement, be present in person. Attendance by the attorney for a party is not sufficient. *See* Local Rule 607.3.

No later than **Friday, May 1, 2020**, I would like to receive from each party a short letter candidly setting forth the following:

1. Facts you believe you can prove at trial;
2. The major weaknesses in each side's case, both factual and legal;
3. An evaluation of the maximum and minimum damage awards you believe likely;
4. The history of any settlement negotiations to date; and
5. Estimate of attorney's fees and costs of litigation through trial.

Please submit *ex parte* letters by email to MDD_JKSchambers@mdd.uscourts.gov. If the documents are more than 15 pages, please have a hard copy delivered. The letters will be solely for my use in preparing for the settlement conference. I also will review the pleadings in the court file. Additionally, if you want me to review any case authorities that you believe are critical to your evaluation of the case, please identify. If you want me to review any exhibits or deposition excerpts, please attach a copy to your letter.¹

¹ Please note that the American Bar Association Standing Committee on Ethics and Professional Responsibility has issued a Formal Opinion (No. 93-370) that precludes a lawyer, ABSENT INFORMED CLIENT CONSENT, from revealing to a judge the limits of the lawyer's settlement authority or the lawyer's advice to the client regarding settlement. The opinion does not preclude a judge, in seeking to facilitate a settlement, from inquiring into those matters. Therefore, please discuss these items with your client before appearing for the settlement conference.

Christian Madu v. Empirian Village of Maryland, LLC, et al.

Civil Action No. TDC-19-2923

Page 2

The settlement conference process will be confidential and disclosure of confidential dispute resolution communications is prohibited. *See* 28 U.S.C. § 652(d); Local Rule 607.4.

Please note, wireless internet access is now available to members of the Bar of this Court while in the Greenbelt Courthouse. If you have not previously registered to use the Attorney Wi-Fi, you may do so on the day of the settlement conference in the Clerk's Office on the second floor of the Courthouse. The registration process will take approximately 15 minutes so please arrive at the Courthouse sufficiently in advance of the settlement conference.

Despite the informal nature of this ruling, it shall constitute an Order of the Court and the Clerk is directed to docket it accordingly.

Very truly yours,

/s/

Jillyn K. Schulze

United States Magistrate Judge

cc: Judge Chuang
Court File